Tribunals like Central Administrative Tribunal, State Administrative Tribunals, etc. have been set up to dispose of cases in different areas. Government has encouraged alternative modes of disposal which include mediation, negotiation and arbitration. The Government proposes to establish Gram Nyayalayas in the rural areas to provide speedy justice and reduce pendency.

Pending criminal cases

2954. SHRI S.S. AHLUWALIA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the details of criminal cases, showing complaint cases and police cases separately, and of civil cases pending as on 31st December, 2006 in the Trial Courts and Appeals Courts respectively;

(b) the State-wise details of the actual *vis-a-vis* sanctioned strengths of judicial officers in trial courts and in the High Courts as on 1st January, 2000, 2004 and 2007;

(c) whether any rationale, namely disposal of cases per capita by the judicial officers, are taken into consideration in sanctioning strength of judges, court-wise and their appointments;

(d) if so, the details thereof; and

(e) if not, what criteria is being considered presently?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) Administration of justice being a State subject, details of complaint cases, police cases, civil cases pending in the trial courts and Appeal courts are not complied in totality in this Department. The pendency position in the Subordinate Courts and in the High Courts as reported to this Department is enclosed at Statements I and II (*See* below).

(b) to (e) With regard to subordinate judiciary, the Supreme Court, in its judgement of 21st March, 2002, in All India Judges' Association & Ors. *Vs.* Union of India & Ors. (all State Governments and Union Territories are also party to this case), directed that an increase in the Judge strength

from the existing 10.5 or 13 per 10 lakh people to 50 judges per 10 lakh people would be effected and implemented within a period of five years in a phased manner to be determined and directed by the Union Ministry of Law. The Central Government have filed an affidavit in the Supreme Court praying that the increase in judge strength in the Union Territories for which Central Government is administratively responsible be allowed based on workload and pendency of cases.The matter is *sub-judice*.

Under Article 235 of the Constitution of India, the administrative control over the members of subordinate judiciary in the States vests with the concerned High Court and the State Government. Further, in exercise of powers conferred under proviso to article 309 read with articles 233 and 234 of the Constitution, the State Governments frame rules and regulations in this regard in consultation with the respective High Court. The members of the State Judicial Service are governed by these rules and regulations. Thus as regards the judge strength in the District and subordinate courts, the onus for taking necessary action for changing the judge strength, vests with the respective State Governments.

In so far as the District and Subordinate Courts are concerned, the sanctioned and working strength in such courts, as on 30-9-2006, reported in 'Court News' published by the Supreme Court is enclosed as Statement III (*See* Below).

In respect of the High Courts, the average institution and the pendency of main cases during the last five years is considered by taking into account the national average or the average rate of disposal of main cases per Judge per year in that High Court whichever is higher. If the average disposal of concerned High Court is above the national average only then increase in Judge strength is considered. The strength of Additional Judges is reviewed only if there is an increase in the arrears of the pending cases during the last five years and the disposal per Judge is above the national average. The judge strength of the High Courts is reviewed once in three years. The details of the approved strength and judges in position in the High Courts as on the 1st of January of the year 2000, 2004 and 2007 are as follows:

Sl. No.	Year (as on 1st January)	Approved Strength	Judges in position
1.	2000	618	462
2.	2004	669	494
3.	2007	721	610

Statement-I

Pendency Position in the Subordinate Courts

Sl. No.	Name of States/UTs.	As on	Civil cases	Criminal cases	Total pendency
1	2	3	4	5	6
1	Andhra Pradesh	31/12/06	484139	462226	946365
2	Arunachal Pradesh	30/12/06	807	5085	5892
3	Assam	31/12/06	81940	124040	205980
4	Bihar	30/6/05	230159	1047533	1277692
5	Chhattisgarh	30/6/05	49557	210045	259602
6	Goa	31/12/05	20644	13671	34315
7	Gujarat	30/6/06	783662	3152284	3935946
8	Haryana	31/12/06	208767	316208	524975
9	HP	31/12/06	64753	88064	152817
10	J&K	30/12/04	48132	83812	131944
11	Jharkhand	31/12/06	44990	229099	274089
12	Karnataka	31/12/06	555125	507263	1062388
13	Kerala	31/12/06	404327	509176	913503
14	M.P.	31/12/06	196645	788812	985457
15	Maharashtra	31/12/06	979460	3168559	4148019
16	Manipur	30/12/06	3234	6020	9254
17	Meghalaya	30/9/06	4164	6849	11013
18	Mizoram	30/9/06	1274	3619	4893
19	Nagaland	31/12/06	1181	2568	3749
20	Orissa	31/12/06	178430	814007	992437
21	Punjab	31/12/06	266976	299488	566464
22	Rajasthan	31/12/06	293220	757154	1050374
23	Sikkim	31/12/06	189	504	693

1	2	3	4	5	6
24	Tamil Nadu	31/12/06	44356	413153	856809
25	Tripura	31/12/06	6488	26357	32845
26	Uttar Pradesh	30/6/06	1215017	3413849	4628866
27	Uttaranchal	31/12/06	28528	102251	130769
28	West Bengal	31/12/05	512947	1428280	1941227
29	A & N Island	31/12/05	1291	46385	47676
30	Chandigarh	31/12/06	21500	71587	93087
31	D & Haveli	30/6/04	550	2457	3007
32	Daman & Diu	30/6/04	752	860	1612
33	Delhi	31/12/06	141737	718602	860339
34	Lakshadweep	31/12/06	52435	224673	277108
35	Pondicherry	31/12/06	13013	7785	20798
	TOTAL :		7339679	19052325	26392004

Statement-II

Pendency position in the High Courts

Sl. No.	Name of the High Court	Reported by High Courts as on	Civil cases	Criminal cases	Total
1	2	3	4	5	6
1	Allahabad	31.12.06	876366	216808	1093174
2	A.P.	31.12.06	136896	13467	150363
3	Bombay	31.12.06	326361	36581	362942
4	Calcutta	30.9.06	227323	38230	265553
5	Delhi	31.12.06	103039	32486	135525
6	Gujarat	30.9.06	83814	29457	113271
7	Gauhati	31.12.06	52146	6991	59137
8	H.P.	31.12.06	20090	6272	26362
9	Jammu & Kashmir	31.12.06	41833	1847	43680
10	Karnataka	31.12.06	78837	14797	93634
11	Kerala	31.12.06	92511	25038	117549
12	Madras	31.12.06	372973	33985	406958

1	2	3	4	5	6
13	M.P.	31.12.06	127120	56665	183785
14	Orissa	31.12.06	203112	18940	222052
15	Patna	31.12.06	70039	24681	94720
16	Punjab & Haryana	31.12.06	199295	42973	242268
17	Rajasthan	30.9.06	158910	50682	20959
18	Sikkim	31.12.06	42	9	51
19	Uttaranchal	31.12.06	29610	7789	37399
20	Chattisgarh	31.12.06	26030	24933	85623
21	Jharkhand	31.12.06	26030	21583	47613
	TOTAL:		3287037	704214	3991251

Statement-III

District and Subordinate Courts (As on 30th September, 2006)

Sl. No.	Name of Territory	Sanctioned State/Ution	Working Strength	Vacancies Strength
1	2	3	4	5
1.	Uttar Pradesh	2172	1705	467
2.	Andhra Pradesh	827	720	107
3.	Bombay	1600	1326	274
4.	Calcutta	706	566	140
5.	Chhattisgarh	235	212	23
6.	Delhi	414	297	117
7.	Gujarat	940	827	113
8a.	Assam	285	243	42
8b.	Meghalaya[I]	10	6	4
8c.	Tripura	83	64	19
8d.	Nagaland[II]	Nil	Nil	Nil
8e.	Mizoram[II]	Nil	Nil	Nil
8f.	Arunachal Pradesh[II]	Nil	Nil	Nil
9.	Himachal Pradesh	118	115	3

1	2	3	4	5
10.	Jammu and kashmir	191	180	11
11.	Jharkhand	503	449	54
12.	Karnataka	827	665	162
13.	Kerala	420	416	4
14a.	Tamil Nadu	762	709	53
14b.	Pondicherry	21	15	6
15.	Madhya Pradesh	935	778	157
16.	Orissa	477	408	69
17.	Bihar	1359	840	519
18a.	Punjab	328	248	80
18b.	Haryana	307	223	84
18c.	Chandigarh	20	19	1
19.	Rajasthan	821	705	116
20.	Sikkim	15	9	6
21.	Uttaranchal	265	95	170
	TOTAL:	14641	11840	2801

* Above statement is compiled on the basis of figures received from the High Courts.

I. Judiciary is not separated from the Executive in the State of Meghalaya except Shillong Municipal Area.

II. Judiciary is not yet separated from Executive.

III. Does not include figures for Manipur in which Sanctioned Strength, Working Strength and Vacancies were 34, 28 & 6 respectively as on 30th June, 2006.

Disposal of pending cases

2955. SHRI RAJKUMAR DHOOT: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that there are large number of cases pending in various courts;

(b) the number of cases pending in different courts as on 21st March, 2007;